

## **IC 16-42-21**

### **Chapter 21. Drugs: Drug Samples**

#### **IC 16-42-21-1**

##### **"Controlled substance" defined**

Sec. 1. As used in this chapter, "controlled substance" has the meaning set forth in IC 35-48-1.

*As added by P.L.2-1993, SEC.25.*

#### **IC 16-42-21-2**

##### **"Drug sample" defined**

Sec. 2. As used in this chapter, "drug sample" means a legend drug or a controlled substance that is manufactured, packaged, labeled, or otherwise marketed to be distributed and dispensed without consideration.

*As added by P.L.2-1993, SEC.25.*

#### **IC 16-42-21-3**

##### **"Practitioner" defined**

Sec. 3. As used in this chapter, "practitioner" means any of the following:

- (1) A licensed physician.
- (2) A dentist licensed to practice dentistry in Indiana.
- (3) A podiatrist licensed to practice podiatry in Indiana.
- (4) A veterinarian licensed to practice veterinary medicine in Indiana.
- (5) An optometrist who is:
  - (A) licensed to practice optometry in Indiana; and
  - (B) certified under IC 25-26-15.

*As added by P.L.2-1993, SEC.25.*

#### **IC 16-42-21-4**

##### **Delivery of drug samples to ultimate user after removal from original packaging or after expiration date; offense**

Sec. 4. A person who:

- (1) is a manufacturer, wholesaler, practitioner, or pharmacist, or is an employee or agent of a manufacturer, wholesaler, practitioner, or pharmacist; and
- (2) either:
  - (A) knowingly or intentionally removes a drug sample from its original packaging, repackages the drug sample, and delivers the drug sample to an ultimate user in exchange for money or other property; or
  - (B) knowingly or intentionally delivers a drug sample to an ultimate user when the expiration date listed by the manufacturer on the drug sample has passed;

commits a Class B misdemeanor.

*As added by P.L.2-1993, SEC.25.*